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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,855	06/29/2000	Robert James Lockwood	95-424	7975

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

12

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/605,855

Applicant(s)

LOCKWOOD, ROBERT JAMES

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 May 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4, 12, 13, 16-19, 27 and 28 is/are rejected.
7) ☒ Claim(s) 5-11, 14, 15, 20-26, 29 and 30 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 12, 16 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foster et al. (US 5,940,490) in view of O'Malley et al. (US 4,996,707).

Regarding **claims 1 and 16**, Foster discloses a method in a notification system for sending a notification message for a user configured for identifying the user based on a destination telephone number in a first format (column 1, lines 10-18), the method including:

obtaining for the notification message a destination telephone number (column 7, line 4 "Network Node Address number") in a second format (column 7, lines 5-10) [The database query is performed to translate the dial number in a new format];

converting the destination telephone number in the second format to the destination telephone number in the first format based on execution of a mapping rule (column 7, line 12 "the number has been mapped to include a switch node address") selected based on a match (column 7, line 5 "a database access") between the

mapping rule and at least a portion of the destination telephone number (column 7, line 20 "line number 9867") in the second format (column 7, lines 11-27) [The dialed number has been converted into an appropriately formatted customer name address number and mapped to an appropriated network number]; and

outputting the notification message having the destination telephone number having the first format (column 7, lines 46-57) [The switch receives and terminates the call where the call is terminated].

Foster discloses initiating any type of call but fails to suggest a notification message to a message server.

However, O'Malley teaches a notification system for sending a notification message to a message server (column 11, lines 8-68) [The system sends a notification message including the calling number and the called number to the subscriber].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a notification system for sending a notification message of O'Malley as a calling station in the invention of Foster.

The modification would have the capability of using a notification system for sending a notification message such as the system would allow the subscriber to retrieve its voice messages.

Regarding **claims 12 and 27**, Foster discloses a notification system configured for sending a notification message for a user to a messaging server, the messaging

server configured for identifying the user based on a destination telephone number in a first format (column 1, lines 10-18), the notification system including:

a message interface (12 on FIG. 1) configured for receiving the notification message and having the destination telephone number (column 7, line 4 "Network Node Address number") in a second format (column 7, lines 5-10) [The database query is performed to translate the dial number in a new format];

a dial map (14 on FIG. 1) configured for converting the destination telephone number in the second format to the destination telephone number in the first format, the dial map executing a selected mapping rule (column 7, line 12 "the number has been mapped to include a switch node address") based on a match (column 7, line 5 "a database access") between the mapping rule and at least a portion of the destination telephone number (column 7, line 20 "line number 9867") in the second format (column 7, lines 11-27) [The dialed number has been converted into an appropriately formatted customer name address number and mapped to an appropriated network number]; and

an output interface (18 on FIG. 1) configured for outputting to the messaging server the notification message having the destination telephone number in the first format (column 7, lines 46-57) [The switch receives and terminates the call where the call is terminated].

Foster discloses initiating any type of call but fails to suggest a notification message to a message server.

However, O'Malley teaches a notification system for sending a notification message to a message server (column 11, lines 8-68) [The system sends a notification message including the calling number and the called number to the subscriber].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a notification system for sending a notification message of O'Malley as a calling station in the invention of Foster.

The modification would have the capability of using a notification system for sending a notification message such as the system would allow the subscriber to retrieve its voice messages.

3. **Claims 2, 13, 17-18 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foster in view of O'Malley and in further view of Lorello et al. (US 6,208,870).

Regarding **claims 2, 13 and 28**, Foster and O'Malley as applied to claims 1, 12 and 27 differ from claims 2, 13 and 28 in that it fails to disclose a Short Message Peer to Peer (SMPP) protocol.

However, Lorello teaches the outputting step includes outputting the notification message to the messaging server according to Short Message Peer to Peer (SMPP) protocol (column 10, lines 53-58).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a Short Message Peer to Peer (SMPP) protocol in the invention of Foster and O'Malley.

The modification would have the capability of a Short Message Peer to Peer (SMPP) protocol such that the system would allow the subscriber to receive short messages.

Regarding **claim 17**, Lorello teaches the outputting step includes outputting the notification message to the messaging server according to Short Message Peer to Peer (SMPP) protocol (column 10, lines 53-58).

Regarding **claim 18**, Lorello teaches the messaging server is a Short Message Service Center configured for sending the notification message to a wireless telephone corresponding to the destination telephone number having the first format (column 1, lines 58-61).

4. **Claims 3-4 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Foster in view of O'Malley, in view Lorello and in further view of Abu-Shukhaidem et al. (US 6,324,272).

Regarding **claim 3**, Foster, O'Malley and Lorello as applied to claim 2 differ from claim 3 in that it fails to disclose a wireless telephone.

However, Abu-Shukhaidem teaches the messaging server is a Short Message Service Center configured for sending the notification message to a wireless telephone corresponding to the destination telephone number having the first format (column 3 lines 34-48).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a wireless telephone in the invention of Foster, O'Malley and Lorello.

The modification would have the capability of a wireless telephone such has the system would allow the subscriber to receive short messages.

Regarding **claims 4 and 19**, Abu-Shukhaidem teaches the first format is an international telephone format, and the second format is a national telephone format (column 2, lines 36-37).

Allowable Subject Matter

5. **Claims 5-11, 14-15, 20-26 and 29-30** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims **5-11 and 20-26** the prior art at this time fails to disclose the converting step includes matching the mapping rule and the portion of the destination number based on a prescribed pattern within the destination telephone number.

Regarding claims **14-15 and 29-30** the prior art at this time fails to disclose the dial map selecting the mapping rule based on a match between the destination telephone number and the corresponding first expression.

Response to Arguments

7. Applicant's arguments filed on May 13, 2004 have been fully considered but they are not persuasive.

The applicant argues on page 3, ¶ 3 that Foster fails to teach converting the NNA to another format.

The examiner respectfully disagrees.

Foster teaches the portable called party number being converted from a first format to an appropriate network node address with another format for routing purpose. The mapping is done based on the dialed number and an access to the database to translate the first format to another format (column 7, lines 5-27).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

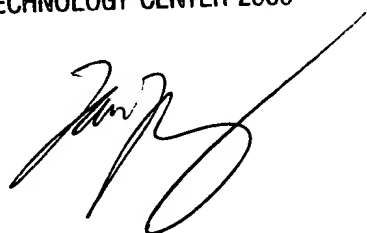
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GERALD GAUTHIER
PATENT EXAMINER
g.g.

July 20, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to be 'Fan Tsang', written over the printed name and title.